

FEB - 8 2019

U.S. District Court
Eastern District of MOUNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

DIVISION

Eural R Thomas

Plaintiff(s),

v.

St. Louis Board of Education

Defendant(s). (Enter above the full name(s)
of all defendants in this lawsuit. Please
attach additional sheets if necessary.)Case No. _____
(to be assigned by Clerk of District Court)

JURY TRIAL DEMANDED

YES ☒ NO ☐EMPLOYMENT DISCRIMINATION COMPLAINT

1. This employment discrimination lawsuit is based on (check only those that apply):

X Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, *et seq.*, for employment discrimination on the basis of race, color, religion, gender, or national origin.
NOTE: *In order to bring suit in federal district court under Title VII, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*____ Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. §§ 621, *et seq.*, for employment discrimination on the basis of age (age 40 or older).
NOTE: *In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file charges with the Equal Employment Opportunity Commission.*X Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101, *et seq.*, for employment discrimination on the basis of disability.
NOTE: *In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a right-to-sue letter from the Equal Employment Opportunity Commission.*

Rehabilitation Act of 1973, as amended, 29 U.S.C. §§ 701, *et seq.*, for employment discrimination on the basis of a disability by an employer which constitutes a program or activity receiving federal financial assistance.

NOTE: *In order to bring suit in federal district court under the Rehabilitation Act of 1973, you must first file charges with the appropriate Equal Employment Office representative or agency.*

X Other (Describe) Equal Pay Act, Violation of the Collective Bargaining Agreement
Fair Labor Standards Act of 1938
The Employee Retirement Income Security Act of 1974
The Missouri Administrative Procedures Act 168.281
Emotional Distress, Invasion of Privacy, Retaliation
Defamation

PARTIES

2. Plaintiff's name: Eural R. Thomas

Plaintiff's address: 5607 Etzel
Street address or P.O. Box

St. Louis, MO. 63112
City/ County/ State/ Zip Code

314-566-5636
Area code and telephone number

3. Defendant's name: St. Louis Board of Education

Defendant's address: 801 N 1st Street
Street address or P.O. Box

St. Louis, MO 63101
City/ County/ State/ Zip Code

314-231-3720
Area code and telephone number

NOTE: IF THERE ARE ADDITIONAL PLAINTIFFS OR DEFENDANTS, PLEASE PROVIDE THEIR NAMES, ADDRESSES AND TELEPHONE NUMBERS ON A SEPARATE SHEET OF PAPER.

4. If you are claiming that the discriminatory conduct occurred at a different location, please provide the following information:

(Street Address) (City/County) (State) (Zip Code)

5. When did the discrimination occur? Please give the date or time period:

Termination from Employment June 5, 2018
*NOT going for a few years prior!

ADMINISTRATIVE PROCEDURES

6. Did you file a charge of discrimination against the defendant(s) with the Missouri Commission on Human Rights?

☒ Yes Date filed: October 30, 2018

☐ No

7. Did you file a charge of discrimination against the defendant(s) with the Equal Employment Opportunity Commission or other federal agency?

☒ Yes Date filed: October 30, 2018

☐ No

8. Have you received a Notice of Right-to-Sue Letter?

☒ Yes

☐ No

If yes, please attach a copy of the letter to this complaint.

9. If you are claiming age discrimination, check one of the following:

 60 days or more have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

 fewer than 60 days have passed since I filed my charge of age discrimination with the Equal Employment Opportunity Commission.

NATURE OF THE CASE

10. The conduct complained of in this lawsuit involves (check only those that apply):

☒ failure to hire me (Summer Employment)

☒ termination of my employment

☐ failure to promote me

☒ failure to accommodate my disability

☒ terms and conditions of my employment differ from those of similar employees

☒ retaliation

☒ harassment

☒ other conduct (specify):

Worked In a "Hostile Work Environment"
Constant Ignoring of Company Rules, Regulations and Policies

Did you complain about this same conduct in your charge of discrimination?

☒ Yes

☐ No

11. I believe that I was discriminated against because of my (check all that apply):

☒ race

☐ religion

☐ national origin

☐ color

☐ gender

☒ disability

☐ age (birth year is: _____)

☒ other:

Employment Rights covered under Company Policies
and Collective Bargaining Agreements, and
(ADA) MO Statute 168.281

Did you state the same reason(s) in your charge of discrimination?

☒ Yes

☐ No

12. State here, as briefly and clearly as possible, the essential facts of your claim. Describe specifically the conduct that you believe is discriminatory and describe how each defendant is involved in the conduct. Take time to organize your statement; you may use numbered paragraphs if you find it helpful. It is not necessary to make legal arguments, or to cite cases or statutes.

I was a dedicated employee of nearly 28 years of service promoted over four to five times only needing 24 months to satisfy full "Retirement" I was currently holding a elected position by my peers as a "Trustee" as well as a Chairman Seat entering into My third term on "The Public School Retirement System OF St. Louis. I had nearly 28 years of nothing but Satisfactory and Excellent Evaluations. I also held a position of Union Shop Steward. During my tenure as shop steward my responsibility was to make sure

(Continue to page 6, if additional space is needed.)

all union members employment rights is protected including all Rule regulations, and company Policies were being administered in compliance along with the language of our "Collective Bargaining Agreement. While performing this task I was very "Vocal" filing grievances against "management" on a constant basis. Myself and others was always working in a "Hostile Work Environment" There was a very "negative culture" created from a very corrupt Management team whom had the full support from the Top Administration. This management team was very corrupt. There was a memo that stated all month employees must wear this uniform given by the employer which was my clarification along with my co-workers. I came to work one day with this uniform on upon my arrival I was asked by my immediate supervisor that The maintenance Supervisor Mr. Rasmussen Johnson wanted to see me, this is around 7:30am my clock in time. I immediately went to his office and asked did he want to see me his response was yes I just wanted to see if you had the uniform on. I replied well you see that I am went to work Thirty minutes later received a call to report to HR I was suspended wasn't told why that incident had me off work for a total of nearly six months a hearing took place in attempt to terminate me total "Lies" that's how desperate they had become. Also the Statute 168.281 was violated on procedure they showed up to my personal home to "Deliver". I was "Terminated" for coming to my personal home during working hours to which was a "medical Emergency" to which I provided documentation I was 10 minutes away from my work site. There was a total of 5 representatives that when I requested why I was being asked to

(Attach additional sheets as necessary).

Report to HR it was a arranged "Secret". I never had the opportunity to defend myself, during the so-called investigation a neutral witness whom saw me at work was asked to give his written account that day of seeing me to which he did.

Manager then went back to that witness the same or next day to get the witness to change his statement "Witness

Tampering". My Shop Steward was intimidated by manager and

suspended the next day from work and ordered

not to gather any information regarding my issue, so

there fore I was refrained from receiving any ^{representation} ~~representation~~ as required by company Policy and Collective Bargaining Agreement

consequently a grievance was never filed on my behalf the Union

allowed the employer to "isolate" the Union. Not only did I have

a "medical Emergency" which is verifiable as a potential "Fatal"

condition if not attended to I had written dr. statements

on file with my employer dating back to 2015. I was

constantly being called to the office for any and everything, the

first day back from a nearly six month Suspension I was standing

with co-workers waiting for my vehicle when another worker was removing

items one of the managers did a b-line straight to me to ask me

why was I standing around and to get to work! I was called to

the office to be wrote up for "illegal Parking" Un heard of

(Attach additional sheets as necessary).

at my place of employment. We were given memo stating that all 11 month employees (Maintenance (Myself and Co-workers) must wear this company supplied uniform, however the 11 month maintenance painters and plasterers whom are all white males could wear what they wanted. I was suspended for wearing the uniform, during my hearing the question was asked did management have anything written that gave the painters and plasterers an exception to the rule the reply was "NO"! However the next day after my hearing one was created "After the fact". There are multiple on top of multiple situations I endured where discriminatory behavior was bestowed upon myself that I summon to be heard in a court of law by this legal request. It is my belief that I can demonstrate the countless rules, policies that were ignored and that I was a constant target by management. I applied for ADA Twice one they totally ignored and allowed me to stay absent past the required medical company policy days only to be able to return with a simple Dr's Statement which shouldn't have been allowed but this was done so that

(Attach additional sheets as necessary).

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the district didn't want me to set up a ^{precident} ~~precident~~ for
liability. I was given a 3 page General Release to sign to
keep my employment in order to ^{release} ~~release~~ them from all
of the illegal and discriminatory practices I had
endured over a vast amount of time. I refused
to sign that I was terminated from my job when in
fact they wanted to give me a "Verbal Warning"
which is the absolute worst I should have received!
I subaquester this court to allow me to present all
evidence to prove beyond a "reasonable doubt" that
I was a victim of counter Company policy violation
as well as discriminatory practices along with violations
checked and listed in this legal complaint.

(Attach additional sheets as necessary).

13. The acts set forth in paragraph 12 of this complaint:

☒ are still being committed by the defendant.

☐ are no longer being committed by the defendant.

☒ may still be being committed by the defendant.

REQUEST FOR RELIEF

State briefly and exactly what you want the Court to do for you. Make no legal arguments;

cite no cases or statutes.

I am requesting full Compensatory Damages and the Maximum punitive Damages allowed under the law, including but not limited to all lost back pay Salary, Salary Bonuses, Employee Bonuses. Also "Whole Relief" monies restored to my Pension Account to satisfy me to Current Guidelines meeting Full Satisfied Full Retirement

14. Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 8th day of February, 2019.

Signature of Plaintiff Eural R. Thomas